

**Staff
Summary
Report**



To: Mayor & City Council
Through: City Manager

Agenda Item Number 38
Meeting Date 12/13/01

SUBJECT: ORDINANCE FOR INTRODUCTION

PREPARED BY: JIM CRISTEA, ENGINEERING MANAGER, LAND SERVICES (350-8417)

REVIEWED BY: NEIL MANN, DEPUTY PUBLIC WORKS MANAGER/CITY ENGINEER
(350-8250)

BRIEF: Set public hearings for **January 10 & 17, 2002**, for the abandonment of two three-foot side lot public utility easements at 2320 W. First Street.

COMMENTS: **ABANDONMENT (0901) ORDINANCE NO. 2002.03** Set a public hearing January 10, 2002, and January 17, 2002, for the abandonment of two three-foot side lot public utility easements as recorded on the east lot lines of Lots 8 and 9, Precision Industrial Park, MCR 170-3. A new development plan at this site (2320 W. First Street) is in conflict with the public utility easements. There are no existing facilities located within the easements to be abandoned.

Document Name: (20011213PWDR08) Supporting Documents: Yes

SUMMARY: The site is being developed by Piping Industry Progress and Education Fund (P.I.P.E.) of Central and Northern Arizona. Staff supports the abandonment of the two public utility easements.

RECOMMENDATION:

That the City Council hold a public hearing and adopt Ordinance No. 2002.03 and authorize the Mayor to execute any necessary documents.

Approved by Glenn Kephart, Public Works Manager

ORDINANCE NO. 2002.03

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING TWO PUBLIC UTILITY EASEMENTS AS DEDICATED BY THE PLAT FOR PRECISION INDUSTRIAL PARK, LOTS 8 AND 9, MCR 170-3. LOCATED AT 2320 W. FIRST STREET, TEMPE, ARIZONA, WITHIN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 4 EAST, G&SRB&M.

WHEREAS, it has been determined by the City Council of the City of Tempe that certain easements which were intended for public utilities are no longer required by the City for use as such, and

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon said easements, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION I. That the City of Tempe does hereby abandon, relinquish and vacate certain easements which were intended for public utilities as described and delineated on EXHIBIT "A" and "A-1" attached hereto.

SECTION II. That all rights of the City in that easement to be abandoned shall vest in the record owner(s) of the subject property and shall be subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the easement is a part.

SECTION IV. That the City Engineer or his designee is hereby authorized to execute any documents that may be necessary to carry out the provisions of this Ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,

ARIZONA this _____ day of _____, 2002.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

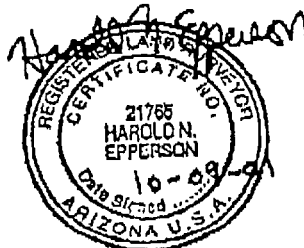
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**Legal Description
Easement Abandonment**

That 3' PUE shown along the easterly line of Lot 8, "Precision Industrial Park" a subdivision recorded in Book 170 Page 3 in the County Recorder's office, being part of the southwest quarter of Section 17, Township 1 North, Range 4 East, Gila and Salt River Meridian, Maricopa County, Arizona.



Job #1190.1
A-TEAM

EXHIBIT A

**Legal Description
Easement Abandonment**

That 3' PUE shown along the easterly line of Lot 9, "Precision Industrial Park" a subdivision recorded in Book 170 Page 3 in the County Recorder's office, being part of the southwest quarter of Section 17, Township 1 North, Range 4 East, Gila and Salt River Meridian, Maricopa County, Arizona.

